

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Civil No. 06-cv-421-LM

Kingston, NH, 10 Towle Rd.

ORDER OF RECUSAL

I hereby recuse myself from presiding over this case. The case shall be assigned to another judge.

On October 7, 2010, the court held, at the parties' request, a joint settlement conference in this civil forfeiture case. The bench trial is currently scheduled for February 9, 2011. Because this case is a bench rather than a jury trial, and this magistrate judge conducted a settlement conference, her impartiality might reasonably be questioned. Canon 3C(1) of the Code of Conduct for United States Judges advises that, under such circumstances, a judge "shall disqualify." See Judicial Conference of the United States, Committee on Codes of Conduct, Advisory Opinion 95, *Judges Acting in a Settlement Capacity* (July 1, 2009).

SO ORDERED.

  
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Landya B. McCafferty  
United States Magistrate Judge

Date: November 24, 2010

cc: Alexander R. Cain, Esq.  
Rodkey Craighead, Esq.  
Murat Erkan, Esq.  
Scott W. LaPointe, Esq.  
Robert J. Rabuck, Esq.  
Robert A. Shaines, Esq.  
Brian C. Dauphin, Esq.